

There are few ways out of bondage. Bloodshed and war often result, but our founding fathers learned a better way. Realizing that a CREATOR is always above and greater than that which He creates, they established a three vote system by which an informed citizenry can control those acting in the name of government.

We must always remember the true chain of command in this nation:

1. GOD created man...
2. Man created the Constitution...
3. Constitution created government...
4. Government created corporations, etc...

The base of power was to remain in WE THE PEOPLE, but unfortunately, it was lost to those leaders acting in the name of government. As a result, America began to function like a democracy instead of a REPUBLIC. A democracy is dangerous because it is a one-vote system – as opposed to a Republic, which is a three-vote system. Three votes check tyranny. American citizens have not been informed of their other two votes.

Our first vote is at the polls on election day. But what can be done if those elected officials don't perform as promised or expected?

However, our second two votes are the most effective means by which WE THE PEOPLE have ever had in controlling those appointed to serve us in government.

The second vote comes when you serve on a Grand Jury. Before anyone can be brought to trial for a critical or infamous crime by those acting in the name of government, permission must be obtained from people serving on the Grand Jury. The Minneapolis Star and Tribune in the March 27, 1987 edition noted a purpose of the Grand Jury this way: "A grand jury's purpose is to protect the public from an overzealous prosecutor."

The third is the most powerful vote: this is when you are acting as a jury member during a courtroom trial. At this point, "the buck stops" with you. It is in this setting that each juror has MORE POWER than the President, all of Congress, and all of the judges combined! No JUROR can ever be punished for voting "Not Guilty!"

As a juror in a trial setting, when it comes to your individual vote of innocent or guilty, you are answerable only to GOD. The first Amendment to the Constitution was born out of this great concept. However, judges of today refuse to inform jurors of their rights.

The Minneapolis Star and Tribune in a newspaper article appearing in its November 30, 1984 edition, entitled: "What judges don't tell the juries" stated:

"At the time of the adoption of the Constitution, the jury's role as defense against political oppression was unquestioned in American jurisprudence. This nation survived until the 1850's, when prosecutions under the Fugitive Slave Act were largely unsuccessful because juries refused to convict."

"The judges began to erode the institution of free juries, leading to the absurd compromise that is the current state of the law. While our courts uniformly state juries have the power to return a verdict of not guilty whatever the facts, they routinely tell the jurors the opposite."

"Further, the courts will not allow the defendants or their counsel to inform the jurors of their true power..."

"By what logic should juries have the power to acquit a defendant but no right to know about that power? The court decisions that have suppressed the notion of jury nullification cannot resolve this paradox."

"More than logic has suffered. As originally conceived, juries were to be a kind of safety valve, a way to soften the bureaucratic rigidity of the judicial system by introducing the common sense of the community. If they are to function effectively as the 'conscience of the community,' jurors must be told that they have the power and the right to say no to a prosecution in order to achieve a greater good. To cut jurors off from this information is to undermine one of our most important institutions."

JURY RIGHTS

"The jury has a right to judge both the law as well as the fact in controversy"

-John Jay, 1st Chief Justice, US Supreme Court, 1789

"The jury has the right to determine both the law and the facts."

-Samuel Chase, US Supreme Court Justice, 1796

"The jury has the power to bring a verdict in the teeth of both law and fact."

-Oliver Wendell Holmes, US Supreme Court Justice, 1902

"The law itself is on trial quite as much as the cause which is to be decided."

-Harlan F. Stone, 12th Chief Justice, US Supreme Court, 1941

The only power the judge has over the JURY is, their ignorance!

I therefore stand firmly in favor of HB 290.

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